

REMARKS

Claims 1-4, 6-7, 9-11, 14-17, 19-20, 24-27, 29-30, 32-35, 37-38, 40-43, 45-46, and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable by Srinivasan (US Patent Number 6,357,042) in view of Elderling (US Patent Number 6,684,194) and Abecassis (US Patent Number 6,553,178). Applicants respectfully disagree.

The Office Action states that the Elderling reference recognizes a specific user based upon time of day information. Applicants agree that the Elderling reference states that "it is possible to identify that subscriber by time-of-day characteristics." See column 3, lines 59-61. This is fundamentally different from claim 1 of Applicants' invention, which calls for retrieving a first profile associated with a first user, the first profile including parental consent information and time of day information relating to the first user. Claim 1 of Applicants' invention therefore includes time of day information regarding the first user. Conversely, the Elderling reference utilizes time of day information to identify a subscriber. The subscriber profile in the Elderling reference includes "an individual's characteristics including age, gender, and program and product references." See column 3, lines 9-12. But the Elderling reference does not include time of day information in the user's profile.

Therefore, the Elderling reference does not teach or suggest retrieving a profile including time of day information, but rather using time of day information to identify a subscriber. The subscriber profile in the Elderling reference does not include time of day information, since the time of day information is used to identify the subscriber.

Therefore, the references do not show each and every element of Applicants' invention as embodied in claim 1. Consequently, the three references cited cannot fairly be suggested to obviate Applicants' invention as embodied in claim 1.

Claims 2-4 and 6-7 depend from claim 1, and are not obvious for the reasons set forth with regard to claim 1 above.

Claim 9 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Claims 10-11 and 14-15 depend from claim 9 and are not obvious for the reasons set forth with regard to claim 9.

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Claim 16 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Claims 17, 19, and 20 depend from claim 16, and are not obvious for the reasons set forth with regard to claim 16.

Claim 24 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Claims 25-27 and 29-30 depend from claim 24, and are not obvious for the reasons set forth with regard to claim 24.

Claim 32 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Claims 33-35 and 37-38 depend from claim 32, and are not obvious for the reasons set forth with regard to claim 32.

Claim 40 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Claims 41-43 and 45-46 depend from claim 40, and are not obvious for the reasons set forth with regard to claim 40.

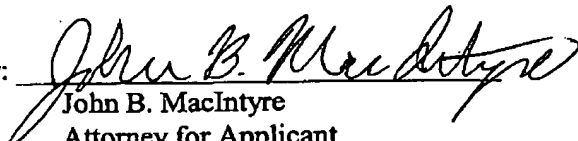
Claim 48 is similar to claim 1 and is not obviated for the reasons set forth with regard to claim 1 above.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of 1-4, 6-7, 9-11, 14-17, 19-20, 24-27, 29-30, 32-35, 37-38, 40-43, 45-46, and 48 under 35 U.S.C. 103(a) and allow claims 1-4, 6-7, 9-11, 14-17, 19-20, 24-27, 29-30, 32-35, 37-38, 40-43, 45-46, and 48. Applicants believe that the application is in condition for allowance. Favorable reconsideration of this application in light of the above is respectfully requested. If a telephone interview with Applicant's Attorney would further the prosecution of the present application, the Examiner is invited to contact the undersigned at the indicated telephone number.

Respectfully,

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